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Nicaragua Dispute Raises Basic Questions

Does Congress Oversee or Overlook CIA?

By DOYLE McMANUS, *Times Staff Writer*

WASHINGTON—The CIA and the Senate Intelligence Committee have stumbled almost inadvertently into a noisy conflict over the way Congress monitors secret U.S. intelligence operations—a conflict that raises basic questions about the effectiveness of the seven-year-old system for overseeing the huge intelligence agency.

The dispute began last week over whether CIA chief William J. Casey had fully informed the Senate panel of the U.S. role in mining Nicaragua's harbors. It has steadily become both broader and more bitter, with each side accusing the other of dereliction of duty.

"The trust isn't there," said Sen. David F. Durenberger (R-Minn.), a moderate Republican member of the committee. "There is an important amount of trust that has to exist between the Senate and the committee that represents it and between the committee and the (CIA) professionals it's overseeing. And it's in this area that things have fallen down."

The committee announced Wednesday that it plans hearings next week—both to re-examine the CIA's covert operations in Central America and to register complaints that Casey has not kept the committee informed.

Members of the panel, including its conservative chairman, Sen. Barry Goldwater (R-Ariz.), have charged that Casey deliberately did not tell them that CIA personnel were aboard a mother ship in international waters, directly supervising the Latin American commando teams that mined Nicaragua's harbors earlier this year.

"I don't like this. I don't like it one bit from the President or from you," Goldwater declared in a letter to Casey last week.

For its part, the CIA has hit back in an unusual series of statements to the press, saying that its representatives discussed the sub-

ject of mining with the two congressional intelligence committees no fewer than 11 times this year. Thus, the agency argues, it kept the oversight committee "fully informed," as the Intelligence Oversight Act of 1980 requires.

Yet the underlying reality appears less clear-cut than the charges and countercharges. The issue hinges on two questions, one in-

volving the CIA and the other touching the effectiveness of the committee:

—Exactly what constitutes keeping the committee fully informed: Should the CIA have volunteered more explicit and detailed statements about the mining?

—How carefully did individual members of the Senate Intelligence Committee study the CIA's briefing statements, and how vigorously did the senators and their aides follow up on the briefings to elicit more information?

The CIA's public statements of its position have repeated in diplomatic terms what Casey told the senators more bluntly, according to committee aides: "If you don't ask the right questions, you won't get the right answers."

That, senators and their aides say, has been the pattern of CIA dealings with the committee: The crusty Casey tells the senators what he considers the minimum necessary—and the senators, all too often, fail to follow up with questions on details that might concern them.

That apparently is what happened in the case of the mining, which Casey mentioned, briefly, to the committee in two hearings last month.

It is also what happened, a committee aide said, in the case of the speedboat raids that the CIA-supervised Latin American teams are said to have conducted against Nicaraguan oil facilities last September and October. "We only found out about that one on Tuesday, and we're still trying to find out what actually happened," the committee aide said.

Blame Enough for All

At least some officials on both sides are willing to admit that there is blame to go around.

"Casey brought this problem partly on himself," said a State Department official who refused to be quoted by name. "It's part of his job to keep Barry Goldwater happy, and he hasn't done that."

Durenberger, a long-time critic of Casey, said: "We have to share, as a committee, some responsibility for the situation."

The squabble has reinforced the ill-feelings that each side already bore toward the other.

To some in the CIA and elsewhere in the Administration, the senators' reaction to the mining appeared to be pure election-year politics. "They didn't object to any of it until it was in the newspapers," said one Reagan appointee.

To some in Congress, it deepened their sense that the CIA chief had no intention of bringing them into his confidence. "I think the problem with Casey is never going to get better," Durenberger said.

'Fully and Currently Informed'

The CIA, always uncomfortable at seeing its operations debated in public, has refused to enlarge on its three prepared statements, which contended—without supplying much detail—that Casey has fully complied with the Intelligence Oversight Act. That law provides that the director of Central Intelligence shall keep the two congressional intelligence committees "fully and

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